

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 710 – HB 1340**

March 10, 2011

**SUMMARY OF BILL:** Adds public library to the list of locations sexual offenders or violent sexual offenders to which have restricted access. Violation is a Class E felony.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – \$9,300/Incarceration\***

Assumptions:

- It is currently a Class E felony offense for any sexual offender or violent sexual offender, whose victim was a minor, to establish a primary or secondary residence or any other living accommodation; to obtain sexual offender treatment or attend a sexual offender treatment program; or to knowingly accept employment within 1,000 feet of the property line of any public school, licensed day care center, other child care facility, public park, playground, recreation center, or public athletic field available for use by the general public. It is also a Class E felony for any sexual or violent sexual offender to stand, sit idly, or remain on the premises of such locations, when the offender has reason to believe that children under the age of 18 are present. Restriction does not apply if the offender is acting as a legal guardian for a child at the listed places.
- According to the Department of Correction (DOC), broadening the restricted areas to include the premises of a public library will result in one additional offender being convicted of the Class E felony every three years.
- According to DOC, the average operating cost per offender per day for calendar year 2011 is \$60.62. The average post-conviction time served for a Class E felony is 1.27 years. The cost per offender for the Class E felony is \$28,119.80 (463.87 days x \$60.62). The annualized time served per conviction is 153.08 days (0.33 annual number of convictions x 463.87 days). The annualized cost per conviction is \$9,279.71 (\$60.62 x 153.08 days).
- No additional operating cost as a result of population growth in this period.
- Any increase in the caseloads of state trial courts can be accommodated within existing judicial resources without an increased appropriation or reduced reversion.

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/jdb